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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,195	03/14/2001	Philip D. Mooney	MOONEY 64	1728

7590 06/14/2004

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EXAMINER
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BEHULU, ALEMAYEHU

ART UNIT	PAPER NUMBER
2682	6

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/805,195

Applicant(s)

MOONEY, PHILIP

Examiner

Alemayehu Behulu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 8-10, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillgren (U.S. Patent No. 6, 339, 706) in view of Chen (U.S. Patent No. 5,003,589).

Regarding claim 1, Tillgren discloses a cellular telephone (figure 1, number 104) comprising: a cellular telephone module (figures 1, number 128), a piconet front end (figures 1, number 134), a cordless telephone PSTN gateway role (figure 1, number 130), in communication with cellular telephone module and with piconet front end that the cordless telephone PSTN gateway role allows a remote piconet device (figure 1, number 102) to answer an incoming call to cellular telephone over a piconet network (figure 6 and column 11, lines 57-67, column 13, lines 10-15). However, Tillgren fails to disclose a telephone piconet device. But, Chen discloses telephone piconet device (figures 4, 5, column 1, lines 20-28, lines 34-26, claim 1). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Tillgren (U.S. Patent No. 6, 339, 706) with Chen (U.S. Patent No. 5,003,589) because it provides convenience for a user of the device by giving the choice of telephone and headset/headphone within one device as suggested by Chen.

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Regarding claim 2, the combination of Tillgren and Chen disclose the cellular telephone according to claim 1, comprising a cordless telephone role (column 3, lines 63-column 4, lines 25 see Tillgren).

Regarding claim 3, the combination of Tillgren and Chen disclose the cellular telephone according to claim 1 that piconet front end is a Bluetooth device (see Tillgren column 4, lines 27-33).

Regarding claim 4, the combination of Tillgren and Chen disclose the cellular telephone according to claim 1 that cordless telephone PSTN gateway role confirms with Bluetooth device standards (column 4, lines 27-column 5, lines 11 and claim 5).

Regarding claims 8 and 13, the Tillgren discloses remotely answering an incoming call to a cellular telephone over a wireless piconet network, comprising: establishing a piconet network (figure 6, numbers 602 and 604) including cellular telephone (figure 1, number 104) and remote piconet device (figure 1, number 102, column 13, lines 10-15), routing audio from cellular telephone to remote piconet device over wireless piconet network (column 3, lines 21-39, column 11, lines 57-67 and column 12, lines 8-21). However, Tillgren fails to disclose a telephone piconet device. But, Chen discloses telephone piconet device (figures 4, 5, column 1, lines 20-28, lines 34-26, claim 1). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Tillgren (U.S. Patent No. 6, 339, 706) with Chen (U.S. Patent No.

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5,003,589) because it provides convenience for a user of the device by giving the choice of telephone and headset/headphone within one device as suggested by Chen.

Regarding claims 9 and 14, the combination of Tillgren and Chen disclose remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claims 8 and 13 respectively that performing call establishment functions from cellular telephone under control of remote piconet device (see Tillgren column 5, lines 9-23).

Regarding claims 10 and 15, the combination of Tillgren and Chen disclose remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claims 8 and 13 respectively that audio is Bluetooth audio (see Tillgren column 4, lines 27-33 and figure 1, numbers 108, 110, 122 and 124).

2. Claims 5, 6, 7, 11, 12, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillgren (U.S. Patent No. 6, 339, 706) and Chen (U.S. Patent No. 5,003,589) further in view of Crosbie (U.S. Pub. No. 2002/0035699).

Regarding claim 5, the combination of Tillgren and Chen disclose the cellular telephone according to claim 1 that remote piconet device (see Tillgren, figure 1, number 102, column 13, lines 10-15), telephone piconet (see Chen figures 4, 5, column 1, lines 20-28, lines 34-26, claim 1). However, Tillgren and Chen fail to disclose a remote telephone

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piconet device is another cellular telephone. But, Crosbie discloses a remote telephone piconet device is another cellular telephone (figure 1, number 28, abstract). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Tillgren (U.S. Patent No. 6, 339, 706) and Chen (U.S. Patent No. 5,003,589) with Crosbie (U.S. Pub. No. 2002/0035699) in order to answer a call at different locations.

Regarding claims 6, 12, 17, the combination of Tillgren, Chen and Crosbie disclose the cellular telephone according to claims 1, 8, 13 respectively, comprising: an authorized terminal list including unique identification of at least one remote telephone piconet device (see Crosbie figure 1, number 28, paragraphs ([0014], [0035], [0040], 0048], [0049], [0065]) permitted to answer incoming calls to cellular telephone (see Tillgren figure 1, number 102).

Regarding claims 7, 11, 16, the combination of Tillgren, Chen and Crosbie disclose the cellular telephone according to claims 1, 8, 13 respectively, wherein: piconet network includes a scatternet connection (see Crosbie paragraphs [0060]-[0063]).

3. Claims 18, 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillgren (U.S. Patent No. 6, 339, 706) in view of Tuoriniemi (U.S. Patent No. 5,978,689).

Regarding claims 18 and 23, Tillgren discloses allowing a remote piconet device answer an incoming call to a wireless telephone in communication with piconet device (figure 6)

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that passing incoming call information (column 11, lines 57-column 12, lines 7) from wireless telephone receiving an incoming call (figure 1, number 104) to remote piconet device (figure 1, number 102) over a wireless piconet (figure 1, number 136) to remote piconet (figure 1, number 102 and column 11, lines 57-67, column 13, lines 10-15).

However, Tillgren fails to disclose remote telephone piconet device and audibly ringing or remote piconet device in response to receipt of incoming call information by wireless telephone. But, Tuoriniemi discloses remote telephone piconet device (figures 1, 5, 7 number 56) and audibly ringing of remote telephone piconet device in response to receipt of incoming call information by wireless telephone (column 6, lines 39-column 7, lines 8, column 11, lines 40-67). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Tillgren (U.S. Patent No. 6, 339, 706) with Tuoriniemi (U.S. Patent No. 5,978,689) in order to answer an incoming call free of hand (as suggested by Tuoriniemi).

Regarding claim 21, the combination of Tillgren and Tuoriniemi disclose method of allowing a remote piconet device answer an incoming call to a wireless telephone in communication with piconet device according to claim 18 that wireless piconet is a Bluetooth piconet network (see Tillgren figure 1 and column 4, lines 26-34).

Regarding claim 22, the combination of Tillgren and Tuoriniemi disclose method of allowing a remote piconet device answer an incoming call to a wireless telephone in communication with piconet device according to claim 18 that incoming call information includes a ring indication (see Tuoriniemi, figure 4, number 202, 222).

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4. Claims 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillgren (U.S. Patent No. 6, 339, 706) and Tuoriniemi (U.S. Patent No. 5,978,689) further in view of Mohammed (U.S. Patent No. 6,647,426).

Regarding claims 19 and 20, the combination of Tillgren and Tuoriniemi disclose the method of allowing a remote piconet device answer an incoming call to a wireless telephone in communication with said piconet device according to claim 18. However, Tillgren and Tuoriniemi fail to disclose audibly ringing said wireless telephone together with said remote piconet device in response to said receipt of said incoming call information by said wireless telephone. But, Mohammed discloses audibly ringing said wireless telephone together with said remote piconet device in response to said receipt of said incoming call information by said wireless telephone (column 16, lines 61-column 17, lines 14). Therefore at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Tillgren (U.S. Patent No. 6, 339, 706) and Tuoriniemi (U.S. Patent No. 5,978,689) with Mohammed (U.S. Patent No. 6,647,426) so that the user can answer the wired/landline and the wireless call with the same quality as wired/landline and from different location (as suggested by Tuoriniemi, column 1, lines 40-67).

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alemayehu Behulu whose telephone number is 703-305-4828. The examiner can normally be reached on 8 AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

*Nguyen T. Vo*  
6-8-04

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PRIMARY EXAMINER